

Applicants : Cheryl Crozier Compton
Serial No. : 09/975,291
Page No. : 6

REMARKS

Applicants respectfully request reconsideration of the above-identified patent application. Claims 1, 2, 4-6, 8 and 10-13 remain in the application. Claims 1, 4, 6 and 11 are amended to more particularly point out and distinctly claim the subject matter which Applicants regard as their invention. Claims 3, 7, and 9 are canceled, their subject matter having been incorporated into the respective independent claims. Applicants respectfully traverse the art rejections as conceivably applied to the amended claims.

I. Section 112

As originally presented, claims 1, 2, 4 and 5 were rejected under 35 U.S.C. 112, second paragraph. It is respectfully submitted that the amended claims overcome this rejection.

II. Allowable Subject Matter

Applicants thank Examiner Loney for his statement that claims 12-13 are allowed and that claims 4-5 contain allowable subject matter. Claim 4 is rewritten in independent form to present all of claims 4-5 and 12-13 in allowable form.

III. Invention Summary

As defined in independent claims 1 and 6, the present invention is directed to an insulated glass assembly in which (1) each of the two glass panels is encapsulated in a one-piece, plastic, molded frame and (2) the frames are welded directly together. As further defined in claim 6, each frame forms an airtight seal with its respective glass panel, and the two frames together form an airtight seal therebetween.

Applicants : Cheryl Crozier Compton
Serial No. : 09/975,291
Page No. : 7

IV. Section 102 Rejections

A. U.S. Patent 2,670,508 to Sylvan

As originally presented, claims 1, 2, 6, and 11 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 2,670,508 to Sylvan.

Sylvan discloses a pair of glass panes, each mounted in an individual wooden sash. Each sash is comprised of four individual rails. The two wooden sashes are secured together by screws and sealed with a caulking compound.

It is well settled that anticipation can only be established by a single prior art reference that identically discloses each and every element of the claimed invention. Anticipation is not shown even if the difference between the claims and the prior art reference are insubstantial. Instead, the cited reference must show exactly what is claimed. In re Bond, 910 F.2d 831, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990); Structural Rubber Prod. Co. v Park Rubber Co., 749 F.2d 707, 223 U.S.P.Q. 1264 (Fed. Cir. 1984).

With respect to amended independent claims 1 and 6, Sylvan does not disclose (1) first and second one-piece plastic frames molded about and encapsulating the perimeters of each respective panel or (2) frames that are welded directly together.

With respect to dependent claims 2 and 11, Sylvan does not disclose a desiccant channel in one of the frames and opening toward the other frame.

It is therefore respectfully submitted that the rejection with respect to Sylvan under Section 102 is unfounded and/or overcome, and therefore should be withdrawn.

Applicants : Cheryl Crozier Compton
Serial No. : 09/975,291
Page No. : 8

B. U.S. Patent 4,048,978 to Plumat

As originally presented, claim 6 was rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 4,048,978 to Plumat.

Plumat discloses a glazing unit wherein first and second glass panels are held in first and second aluminum channel members. The first and second channel members are each spot welded to a separate aluminum piece to be held in a spaced relationship with one another.

With respect to amended claim 6, Plumat does not disclose (1) first and second one-piece plastic frames molded about and encapsulating the perimeters of each respective panel or (2) frames that are welded directly together.

It is therefore respectfully submitted that the rejection with respect to Plumat under Section 102 is unfounded and/or overcome, and therefore should be withdrawn.

C. U.S. Patent 4,357,187 to Stanley

As originally presented, claims 6, 10 and 11 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 4,357,187 to Stanley.

Stanley discloses an apparatus for attaching a glass panel to an existing window pane. A plastic spacer is affixed to an existing window pane with an adhesive. A separate retainer is capable of sliding into a slot on the spacer for holding a second glass panel between the spacer and the retainer.

With respect to amended claim 6, Stanley does not disclose (1) first and second one-piece plastic frames molded about and encapsulating the perimeters of each respective panel or (2) frames that are welded directly together. With respect to dependent claim 10 Stanley does

Applicants : Cheryl Crozier Compton
Serial No. : 09/975,291
Page No. : 9

not disclose at least one rib and at least one channel adjacent to the rib on one of the frames. With respect to claim 11 Stanley does not disclose a desiccant channel on one frame opening toward the other frame.

It is therefore respectfully submitted that the rejection with respect to Stanley under Section 102 is unfounded and/or overcome, and therefore should be withdrawn.

V. Section 103 Rejection

As originally presented, claim 8 was rejected under 35 U.S.C. 103(a) as being unpatentable over Sylvan in view of U.S. Patent 6,055,783 to Guhl.

First, Guhl does not make up for the inadequacies of Sylvan discussed above in regards to amended base independent claim 6. Further, while Guhl suggests welding individual sash components together to form a sash, it does not remotely suggest welding multiple frames or sashes together.

Applicants therefore submit that this rejection is unfounded and/or overcome.

Applicants : Cheryl Crozier Compton
Serial No. : 09/975,291
Page No. : 10

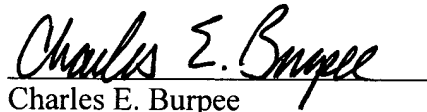
III. Conclusion

In view of the above amendments and these remarks, Applicants respectfully submit that the present application is in condition for allowance. A notice to that effect is earnestly and respectfully requested.

Respectfully submitted,

CHERYL CROZIER COMPTON

By: Warner Norcross & Judd LLP



Charles E. Burpee
Registration No. 29 776
900 Fifth Third Center
111 Lyon Street, NW
Grand Rapids, MI 49503-2487
(616) 752-2141

CEB/CEK/pas
11085.73221-001
923911-1